

[Advisory Opinion 1995-19]

December 13, 1995

TO: [Name1 withheld], Administrative Services Coordinator
Department of Libraries

FROM: Jay L. Cohen, Chair [signed]
Montgomery County Ethics Commission

RE: Request for Advisory Opinion

You have asked for advice regarding the support staff being utilized to serve the Commission of the Humanities, which was transferred to the Department of Libraries in July 1995. In particular, you explained that the Department has assigned a professional position to support Commission activities, but that the volume of clerical work requires additional services. Upon using the County's primary temporary provider to record minutes of the Commission, the results were unsatisfactory. The commission Chair offered to have his private secretary take the minutes and pay the secretary the same rate as the temporary. You seek advice as to whether this arrangement meets the requirements of the Ethics Law.

The Ethics Commission has reviewed your request and, based upon the information provided, finds no issue involving the Ethics Law as long as the Commission Chair does not (directly or indirectly) receive any financial benefit from the fact that his secretary was performing the service for the Commission and was being paid for the work by the County. This advisory opinion does not address any procurement or personnel issues that may be involved with this arrangement.

If you have any questions concerning this decision, please do not hesitate to contact the Commission.

cc: Barbara McNally, Executive Secretary
Montgomery County Ethics Commission